

#7
Pa
3/16/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BENNEKER et al.

Appl. No.: 09/200,743

Filed: November 30, 1998

For: 4-Phenylpiperidine Compounds

Art Unit: 1612

Examiner: Chang, C.

Atty. Docket: 71284-0007

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

March 7, 2000

Sir:

In response to the Office Action dated December 7, 1999, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

Claims 1-9, 11, 15 and 17, 20-22, and 24-29 remain pending in the present application. Reconsideration and allowance of the present application are respectfully requested.

Claims 1-7, 9, 11, 24-29 have been rejected under 35 U.S.C. 103 as being obvious over Christensen, U.S. 3,392,743 (Christensen), in view of Berge et al., J. Pharma. Sci. (Berge). This rejection is respectfully traversed.

Christensen fails to teach the applicants' claimed sulfonate salts. Indeed the salts taught for the compounds of formula I in Christensen are simply described as "The salt forming acids may be any of the available pharmaceutically acceptable acids." (Col. 1 lines 40-41). There is no direction in Christensen to select the applicants' claimed sulfonate salts.